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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,884	07/23/2003	Melissa W. Dunn	MS#303038.01 (5048)	9288

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ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER

SMITHERS, MATTHEW

ART UNIT	PAPER NUMBER
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2137

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/16/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

Office Action Summary

Application No.

10/625,884

Applicant(s)

DUNN, MELISSA W.

Examiner

Matthew B. Smithers

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7/23/03; 3/27/06; 11/03/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statements filed July 23, 2003, March 27, 2006 and November 3, 2006 has been placed in the application file and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 22, 37 and 42-45 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 22, 37 and 42-45, are claims to a computer readable media. Applicant's specification, paragraph [0082], clearly discloses the computer readable media can be either computer storage media, communications media or a combination of both. Communications media, such as carrier waves or modulated signals, lack the necessary physical articles or objects that constitute a machine or manufacture within the meaning of 35 USC 101. Further, the communication media is not a combination of chemical compounds forming a composition of matter nor is the media a series of steps in a process. Therefore, the communication media (carrier waves, modulated signals, etc.) does not fall within one of the four classes of an invention and as such the above listed claims are deemed non-statutory.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated by US
20020104015 granted to Barzilai.

Regarding claim 1, Barzilai meets the claimed limitations as follows:

“A method of establishing permission to use information associated with a user, said method comprising:

identifying the user in connection with an application, said application requesting to use selected information associated with the user according to a predefined policy;

determining whether permission was previously granted for the application to use the selected information according to the policy;

and notifying the user if a change has been made to the policy since the permission was previously granted for the application to use the selected information.”

see Abstract; paragraphs [0059], [0061]-[0064], [0086]-[0102], [0113]-[0120] and Figures 1, 6 and 7.

Regarding claim 2, Barzilai meets the claimed limitations as follows:

"The method of claim 1, wherein notifying the user comprises providing a user interface to inform the user of the change to the policy since the permission was previously granted for the application to use the selected information." see paragraphs [0094]-[0099] and Figure 1.

Regarding claim 3, Barzilai meets the claimed limitations as follows:

"The method of claim 1, further comprising requesting consent to the change via the user interface." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 4, Barzilai meets the claimed limitations as follows:

"The method of claim 3, further comprising denying use of the selected information by the application until consent to the change is granted in response to the user interface." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 5, Barzilai meets the claimed limitations as follows:

"The method of claim 3, further comprising denying use of the selected information by the application if consent to the change is denied in response to the user interface." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 6, Barzilai meets the claimed limitations as follows:

"The method of claim 3, wherein the identified user is associated with a managed account and wherein requesting consent to the change comprises requesting consent to the change from a manager of the account." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 7, Barzilai meets the claimed limitations as follows:

"The method of claim 1, further comprising defining a consent state associated with the user, said consent state directly corresponding to a version of the policy for which the user has granted permission to the application to use the selected information." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 8, Barzilai meets the claimed limitations as follows:

"The method of claim 7, further comprising maintaining a user profile associated with the user and storing the consent state in user profile." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 9, Barzilai meets the claimed limitations as follows:

"The method of claim 7, further comprising identifying which version of the policy is currently in use for the application and determining when the version of the policy corresponding to the consent state is different from the version of the policy currently in use for the application." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 10, Barzilai meets the claimed limitations as follows:

"The method of claim 9, wherein notifying the user of the change to the policy is responsive to determining when the version of the policy corresponding to the consent state is different from the version of the policy currently in use for the application." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 11, Barzilai meets the claimed limitations as follows:

"The method of claim 7, wherein identifying the user comprises receiving login information from the user and authenticating the user based on the received login information." see paragraphs [0086]-[0099] and Figure 6.

Regarding claim 12, Barzilai meets the claimed limitations as follows:

“The method of claim 10, wherein authenticating the user comprises associating a unique identifier with the user.” see paragraphs [0086]-[0099] and Figure 6.

Regarding claim 13, Barzilai meets the claimed limitations as follows:

“The method of claim 12, further comprising associating the unique identifier for the user to the consent state associated with the user.” see paragraphs [0086]-[0099] and Figure 6.

Regarding claim 14, Barzilai meets the claimed limitations as follows:

“The method of claim 1, further comprising storing information representative of which version of the policy is current.” see paragraphs [0094]-[0099] and Figure 6.

Regarding claim 15, Barzilai meets the claimed limitations as follows:

“The method of claim 1, further comprising storing content of the change to the policy relative to a version of the policy.” see paragraphs [0094]-[0099] and Figure 6.

Regarding claim 16, Barzilai meets the claimed limitations as follows:

“The method of claim 1, further comprising maintaining a notification store containing information representative of one or more of the following: a grace period for granting consent to the change to the policy; content of the change to the policy relative to a version of the policy; and a current version number of the policy.” see paragraphs [0094]-[0099] and Figure 6.

Regarding claim 17, Barzilai meets the claimed limitations as follows:

“The method of claim 1, wherein the application comprises a web service provided to the user via a client by one or more network servers, said client and network servers

being coupled to a data communication network.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figures 1 and 6.

Regarding claim 18, Barzilai meets the claimed limitations as follows:

“The method of claim 17, further comprising managing use of the selected information as a function of whether the user has a relationship with another web service.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figures 1 and 6.

Regarding claim 19, Barzilai meets the claimed limitations as follows:

“The method of claim 17, further comprising storing, in a central database, a user profile containing the information associated with the user, said central database being associated with a central server coupled to the data communication network.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figure 1.

Regarding claim 20, Barzilai meets the claimed limitations as follows:

“The method of claim 17, wherein the client operates a browser configured to permit the user to communicate on the data communication network, and wherein notifying the user comprises providing a user interface via the browser to inform the user of the change to the policy and to request re-consent.” see paragraphs [0063], [0086]-[0099] and Figures 1 and 6.

Regarding claim 21, Barzilai meets the claimed limitations as follows:

“The method of claim 17 wherein the network servers are web servers and the data communication network is the Internet.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figure 1.

Regarding claim 22, Barzilai meets the claimed limitations as follows:

“One or more computer-readable media have computer-executable instructions for performing the method of claim 1.” see paragraph [0059] and Figure 1.

Regarding claim 23, Barzilai meets the claimed limitations as follows:

“A method of managing consent between a client and at least one network server, said client and said network server being coupled to a data communication network, said network server providing one or more services to a user via the client, said client operating a browser configured to permit the user to communicate on the data communication network, said method comprising:

identifying the user in connection with the network server, said network server requesting to use selected information associated with the user according to a predefined policy;

defining a consent state associated with the identified user, said consent state directly corresponding to a version of the policy for which permission has been granted for the network server to use the selected information;

identifying which version of the policy is currently in use for the network server;

and providing a user interface via the browser to notify the user when the version of the policy corresponding to the consent state is different from the version of the policy currently in use for the network server.” see Abstract; paragraphs [0059], [0061]-[0064], [0086]-[0102], [0113]-[0120] and Figures 1, 6 and 7.

Regarding claim 24, Barzilai meets the claimed limitations as follows:

"The method of claim 23, wherein the user interface is provided by a central server also coupled to the data communication network." see Abstract; paragraphs [0059], [0061]-[0065], [0073] and Figures 1 and 6.

Regarding claim 25, Barzilai meets the claimed limitations as follows:

"The method of claim 23, further comprising notifying the user of one or more differences between the version of the policy corresponding to the consent state and the version of the policy currently in use for the network server." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 26, Barzilai meets the claimed limitations as follows:

"The method of claim 23, further comprising requesting consent to the version of the policy currently in use for the network server via the user interface." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 27, Barzilai meets the claimed limitations as follows:

"The method of claim 26, further comprising denying use of the selected information by the network server until the consent is granted in response to the user interface." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 28, Barzilai meets the claimed limitations as follows:

"The method of claim 26, further comprising denying use of the selected information by the network server if the consent is denied in response to the user interface." See paragraphs [0091]-[0099] and Figure 6.

Regarding claim 29, Barzilai meets the claimed limitations as follows:

"The method of claim 26, wherein the identified user is associated with a managed account and wherein requesting consent to the version of the policy currently in use comprises requesting consent from a manager of the account." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 30, Barzilai meets the claimed limitations as follows:

"The method of claim 23, further comprising maintaining a user profile associated with the user and storing the consent state in user profile." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 31, Barzilai meets the claimed limitations as follows:

"The method of claim 23, further comprising storing content of a change to the policy corresponding to the consent state relative to the version of the policy currently in use for the network server." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 32, Barzilai meets the claimed limitations as follows:

"The method of claim 23, further comprising maintaining a notification store containing information representative of one or more of the following: a grace period for granting consent to the change to the policy; content of a change to the policy relative to a later version of the policy; and a current version number of the policy." see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 33, Barzilai meets the claimed limitations as follows:

"The method of claim 23, further comprising managing use of the selected information as a function of whether the user has a relationship with another service." see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figures 1 and 6.

Regarding claim 34, Barzilai meets the claimed limitations as follows:

“The method of claim 23, further comprising storing, in a central database, a user profile containing the information associated with the user, said central database being associated with a central server coupled to the data communication network.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figures 1 and 6.

Regarding claim 35, Barzilai meets the claimed limitations as follows:

“The method of claim 34 wherein the central server is an authentication server of a multi-site user authentication system and the network servers are affiliated with the authentication server, said authentication server receiving requests to authenticate the user when the user requests the web service to be provided by one or more of the affiliated network servers.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figures 1 and 6.

Regarding claim 36, Barzilai meets the claimed limitations as follows:

“The method of claim 23, wherein the network servers are web servers and the data communication network is the Internet.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figure 1.

Regarding claim 37, Barzilai meets the claimed limitations as follows:

“One or more computer-readable media have computer-executable instructions for performing the method of claim 23.” see paragraph [0059] and Figure 1.

Regarding claim 38, Barzilai meets the claimed limitations as follows:

“An authentication system comprising:

an authentication server coupled to a data communication network;

an authentication database associated with the authentication server, said authentication database storing authentication information for comparison to login information provided by a user for authenticating the user, said authentication database further storing user-specific information identifying the user with respect to one or more services provided by at least one affiliate server coupled to the data communication network, said affiliate server providing the one or more services to the user via a client coupled to the data communication network and requesting to use selected information associated with the user according to a predefined policy;

said authentication server being configured to identify which version of the policy is currently in use for the affiliate server and to provide a user interface for notifying the user when the version of the policy currently in use is different from a policy

under which the user previously granted permission for the affiliate server to use the selected information.” see Abstract; paragraphs [0059], [0061]-[0064], [0086]-[0102], [0113]-[0120] and Figures 1, 6 and 7.

Regarding claim 39, Barzilai meets the claimed limitations as follows:

“The system of claim 38, further comprising a notification store containing information representative of one or more of the following: a grace period for the user to consent to the change to the policy; content of a change to the policy relative to a later version of the policy; and a current version number of the policy.” see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 40, Barzilai meets the claimed limitations as follows:

“The system of claim 38, wherein the user interface provided by the authentication server further displays a user-selectable option for requesting consent from the user for the version of the policy currently in use for the affiliate server.” see paragraphs [0063], [0086]-[0099] and Figure 6.

Regarding claim 41, Barzilai meets the claimed limitations as follows:

“The system of claim 38, wherein the affiliate server is a web server and the data communication network is the Internet.” see paragraphs [0060], [0064], [0065], [0081]-[0085] and Figure 1.

Regarding claim 42, Barzilai meets the claimed limitations as follows:

“One or more computer-readable media having computer-executable components for managing consent between a client and at least one network server, said client and said network server being coupled to a data communication network, said network server providing one or more services to a user via the client and requesting to use selected information associated with the user according to a predefined policy, said computer-readable media comprising:

an authentication component for authenticating the user and for identifying which version of the policy is currently in use for the network server;

a profiling component for determining whether the user previously granted permission for the network server to use the selected information and for retrieving a consent state associated with the user, said consent state directly corresponding to a version of the policy for which the user has previously granted permission for the network server to use the selected information;

and a re-consent component for notifying the user of one or more differences between the version of the policy currently in use for the network server and the version of the policy associated with the consent state and for requesting consent to the differences from the user.” see Abstract; paragraphs [0059], [0061]-[0064], [0086]-[0102], [0113]-[0120] and Figures 1, 6 and 7.

Regarding claim 43, Barzilai meets the claimed limitations as follows:

“The computer-readable media of claim 42, further comprising a user profile store containing information associated with the user and wherein the central server is responsive to the profiling component for retrieving the consent state associated with the user from the user profile store.” see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 44, Barzilai meets the claimed limitations as follows:

“The computer-readable media of claim 42, wherein the re-consent component comprises an interface component for providing a user interface to the user via the client.” see paragraphs [0091]-[0099] and Figure 6.

Regarding claim 45, Barzilai meets the claimed limitations as follows:

“The computer-readable media of claim 42, further comprising a notification store containing information representative of one or more of the following: a grace period for the user to consent to the change to the policy; content of the change to the policy relative to a version of the policy; and a current version number of the policy.” see paragraphs [0091]-[0099] and Figure 6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Aarts et al (US 20050076233) discloses a method for transmitting data subject to privacy restrictions.

B. Desio (US 20040133454) discloses a method for using an electronic consent form for retrieving data.

C. Feng et al (US 20040083243) discloses a system for managing a Web users' privacy preferences.

D. Mathew et al (US 20040044628) discloses a method for enforcing online identity consent policies.

E. Willner et al (US 20030023451) discloses a method for identifying privacy levels.

F. Borgia et al (US 20020129221) discloses a system for tracking compliance with policies.

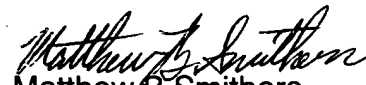
G. Salmenkaita et al (US 7,072,886) discloses a method for maintaining privacy in distributed systems.

H. Veldhuisen (US 6,480,850) discloses a system for managing data privacy in a database management system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Matthew B Smithers
Primary Examiner
Art Unit 2137